

The president lays before the senate a memorial from the people called quakers, respecting the bill for the support of the clergy; and also a petition from the visitors and governors elect, and of the agents for founding a college on the western shore of the state of Maryland; which were read, referred to the consideration of the house of delegates, and, with the letters from the commissioners, and the compact entered into by them, sent by Edward Lloyd, Esq;

The following message was prepared, agreed to, and sent to the house of delegates by Samuel Hughes, Esq;

BY THE SENATE, NOVEMBER 18, 1785.

GENTLEMEN,

WE concur with your message by Mr. Adams, that a joint letter be written by the president of the senate and speaker of the house of delegates, notifying to the gentlemen chosen into the council their election.

By order,

J. DORSEY, clk.

The senate adjourns till to-morrow morning 10 o'clock.

S A T U R D A Y, November 19, 1785.

THE senate met. Present as on yesterday. The proceedings of yesterday were read.

On motion, ORDERED, That the clerk of the senate enter on the journals of the senate, his excellency governor Paca's letter of the 14th instant to the general assembly; his letter of the 22d of April last to the honourable the intendant of the revenue, recommending an advance of £. 500 sterling to be made to Samuel Chase, Esq; state agent, and the answer of the intendant of the revenue to the said letter.

ORDERED, That the intendant of the revenue lay before the senate the bond given by the agent, on the aforesaid sum of £. 500 sterling being advanced to him by the intendant.

ORDERED, That the agent, Samuel Chase, Esq; communicate to the senate the instructions by him given, before his departure from London to the Messieurs Lyons, solicitors in chancery, touching the suits depending in said court, relative to the bank stock, the property of this state; and that he also communicate to the senate all letters by him written to the said solicitors, or the council by him employed in the said suits, since his return to Maryland, and since the passage of the supplementary act to the act appointing the said Samuel Chase, Esq; agent, and all letters written to the said agent, since his departure from England, by the aforesaid solicitors and counsel, relative to the aforesaid suits; and that the agent inform the senate of the state of the suits in the court of chancery of England, respecting the bank stock claimed by this state, according to the last advices he has received.

A LETTER of the 14th instant, from his Excellency the GOVERNOR, to the honourable the GENERAL ASSEMBLY.

GENTLEMEN,

I HAVE the honour to lay before you copies of letters which passed between the honourable intendant and myself, on the subject of advancing the state agent a sum of money to defray the expences of the bills in chancery in England, concerning the public bank stock.

The general assembly, at their last session, approved of the conduct of their agent, in prosecuting and defending these bills, and by an act confirmed and established both his appointment and proceedings, and directed the governor and council to instruct him to go on with these bills with vigour and expedition.

But when these instructions were given to the agent, he declared his inability to prosecute and defend the bills, alleging that the general assembly had made no provision to pay the expences.

The house of delegates having adjourned to the spring, and the senate to the fall, and the first day of adjournment having elapsed, the power of convening the assembly devolved on me, in my official character, as governor of the state; and it became a question of considerable consequence whether it was most for the interest of the public to call the assembly, in order to supply funds for the agent, or to suffer the bills in chancery to lie over till the fall, unprosecuted and undefended.

In deliberating on this question, I saw the dangerous consequence of having these bills without counsel to prosecute and defend them: all who are acquainted with legal or chancery proceedings know, that rules are of course obtained to enforce the prosecution or defence of suits, and if not complied with, a judgment or decree passes upon an ex parte hearing. With respect to the bill prosecuted by the agent, that might have been dismissed, and the trustees put into possession again of the whole bank stock; and with respect to the bills brought by British subjects, to be indemnified out of the bank stock for their confiscated property, a decree might have been obtained for the whole claims on an ex parte hearing, and the state deprived of nearly thirty thousand pounds of its property.

I was strongly inclined, under these circumstances, to call the assembly: the question was whether it were more prudent to incur the expence of a session, than risk or hazard to capital a part, the bank stock.

But before I came to a final resolution, it occurred to me, that possibly the state of the treasury might admit of an advance of money to defray the expences; this led to the letters which I now enclose.

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